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**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:10-cv-04882-CBA-RLM**

Plumbers and Gas Fitters Local Union No. 1 v. United States  
Department of the Interior  
Assigned to: Chief Judge Carol Bagley Amon  
Referred to: Magistrate Judge Roanne L. Mann  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/22/2010  
Date Terminated: 11/15/2011  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Plumbers and Gas Fitters Local Union  
No. 1**

represented by **James Emmet Murphy**  
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**ATTORNEY TO BE NOTICED**

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V.

**Defendant**

**United States Department of the  
Interior**

represented by **Kathleen Anne Mahoney**  
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Email: Kathleen.Mahoney@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #                 | Docket Text  |
|------------|-------------------|--|
| 10/22/2010 | <a href="#">1</a> | COMPLAINT against United States Department of the Interior Disclosure Statement on Civil Cover Sheet completed -No,, filed by Plumbers and Gas Fitters Local Union No. 1. (Attachments: # <a href="#">1</a> Civil Cover Sheet) (Davis, Kimberly) (Entered: 10/26/2010) |
| 10/22/2010 |                   | Summons Issued as to United States Department of the Interior, U.S. Attorney and U.S. Attorney General (Davis, Kimberly) (Entered: 10/26/2010)   |
| 10/22/2010 |                   | FILING FEE: \$ 350.00, receipt number 4653021186 (Davis, Kimberly) (Entered: 10/26/2010)   |
| 11/08/2010 | <a href="#">2</a> | SUMMONS Returned Executed by Plumbers and Gas Fitters Local Union No. 1. United States Department of the Interior served on 11/3/2010, answer due 11/24/2010. (Ambinder, Lloyd) (Entered: 11/08/2010)  |
| 12/03/2010 | <a href="#">3</a> | ANSWER to <a href="#">1</a> Complaint and Declaration of Service by United States Department of the Interior. (Mahoney, Kathleen) (Entered: 12/03/2010)  |
| 12/03/2010 | <a href="#">4</a> | Letter to Honorable Carol Bagley Amon requesting a pre-motion conference for Defendant's motion for summary judgment in this Freedom of Information Act action by United States Department of the Interior (Mahoney, Kathleen) (Entered: 12/03/2010)                   |

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| 12/09/2010 | <a href="#">5</a>  | NOTICE of Appearance by Leonor H Coyle on behalf of Plumbers and Gas Fitters Local Union No. 1 (aty to be noticed) (Coyle, Leonor) (Entered: 12/09/2010)   |
| 12/09/2010 | <a href="#">6</a>  | Letter MOTION for Extension of Time to File Response/Reply as to <a href="#">4</a> Letter Motion <i>requesting pre-motion conference</i> by Plumbers and Gas Fitters Local Union No. 1. (Coyle, Leonor) (Entered: 12/09/2010)  |
| 12/10/2010 | <a href="#">7</a>  | Letter MOTION for Extension of Time to File Response/Reply as to <a href="#">6</a> Letter MOTION for Extension of Time to File Response/Reply as to <a href="#">4</a> Letter Motion <i>requesting pre-motion conference</i> , <a href="#">4</a> Letter by Plumbers and Gas Fitters Local Union No. 1. (Coyle, Leonor) (Entered: 12/10/2010)  |
| 12/10/2010 |                    | ORDER: granting <a href="#">6</a> Motion for a 3-day extension of time to file Plaintiffs' letter response to Defendant's letter <a href="#">4</a> . APPLICATION GRANTED. So Ordered by Judge Carol B. Amon on 12/10/2010. (Liberatore, Marie) (Entered: 12/10/2010)   |
| 12/13/2010 | <a href="#">8</a>  | RESPONSE in Opposition re <a href="#">6</a> Letter MOTION for Extension of Time to File Response/Reply as to <a href="#">4</a> Letter Motion <i>requesting pre-motion conference</i> filed by Plumbers and Gas Fitters Local Union No. 1. (Coyle, Leonor) (Entered: 12/13/2010)  |
| 12/14/2010 | <a href="#">9</a>  | NOTICE OF PREMOTION CONFERENCE: A premotion conference is hereby scheduled in the above-captioned case for FEBRUARY 9, 2011 at 11:00am before the Honorable Carol Bagley Amon, United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York in Courtroom No.10D on the 10th Floor. (Liberatore, Marie) (Entered: 12/14/2010)  |
| 02/02/2011 | <a href="#">10</a> | Letter MOTION to Adjourn Conference <i>presently scheduled for February 9, 2011</i> by United States Department of the Interior. (Mahoney, Kathleen) (Entered: 02/02/2011)   |
| 02/02/2011 |                    | Email Notification Test - DO NOT REPLY (Fernandez, Erica) (Entered: 02/02/2011)  |
| 02/03/2011 |                    | ORDER: re <a href="#">10</a> Defendant's motion to adjourn the premotion conference currently set for February 9, 2011 on consent. APPLICATION GRANTED. The premotion conference is <u>rescheduled to March 9, 2011 at 11:00am before Judge Amon and will be held by telephone. AUSA Kathleen Mahoney is directed to coordinate the call to chambers.</u> So Ordered by Judge Carol B. Amon on 2/3/2011. (Liberatore, Marie) (Entered: 02/03/2011) |
| 03/08/2011 | <a href="#">11</a> | Proposed Scheduling Order <i>for briefing summary judgment motion</i> by United States Department of the Interior (Kelly, Charles) (Entered: 03/08/2011)   |
| 03/09/2011 | <a href="#">12</a> | NOTICE of Appearance by James Emmet Murphy on behalf of Plumbers and Gas Fitters Local Union No. 1 (aty to be noticed) (Murphy, James) (Entered: 03/09/2011)   |

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| 03/09/2011 | <a href="#">1</a><br><a href="#">3</a> | Minute Entry: Premotion conference held by telephone before Judge Amon on March 9, 2011. Defendants permitted to proceed with motion for summary judgment. The Court adopts the briefing schedule <a href="#">11</a> submitted by the parties. (Court Reporter Henry Shapiro.) (Liberatore, Marie) (Entered: 03/09/2011)   |
| 04/21/2011 | <a href="#">1</a><br><a href="#">4</a> | Letter to Plaintiff's counsel enclosing Defendant's motion for summary judgment by United States Department of the Interior (Mahoney, Kathleen) (Entered: 04/21/2011)  |
| 05/06/2011 | <a href="#">1</a><br><a href="#">5</a> | Letter to Honorable Carol Bagley Amon respectfully requesting modification of the remainder of the briefing schedule for Defendant's motion for summary judgment by United States Department of the Interior (Mahoney, Kathleen) (Entered: 05/06/2011)   |
| 05/09/2011 |  | ORDER : re <a href="#">15</a> Letter filed by United States Department of the Interior requesting a 14-day extension of the remaining dates in the briefing schedule for Defendant's motion for summary judgment on consent. APPLICATION GRANTED. So Ordered by Chief Judge Carol Bagley Amon on 5/9/2011. (Liberatore, Marie) (Entered: 05/09/2011)   |
| 06/02/2011 | <a href="#">1</a><br><a href="#">6</a> | MEMORANDUM in Opposition to Defendant's Motion for Summary Judgment filed by Plumbers and Gas Fitters Local Union No. 1. (Ambinder, Lloyd) (Entered: 06/02/2011)   |
| 06/16/2011 | <a href="#">1</a><br><a href="#">7</a> | Letter MOTION for Extension of Time to File Response/Reply for one-week extension of time for service of Defendant's reply and filing of fully briefed summary judgment motion, on consent by United States Department of the Interior. (Mahoney, Kathleen) (Entered: 06/16/2011)  |
| 06/17/2011 |  | ORDER: re <a href="#">17</a> Motion for one week adjournment until June 24, 2011 for defendant to serve reply and file his motion with consent. APPLICATION GRANTED. So Ordered by Chief Judge Carol Bagley Amon on 6/16/2011. (Liberatore, Marie) (Entered: 06/17/2011)   |
| 06/24/2011 | <a href="#">1</a><br><a href="#">8</a> | MOTION for Summary Judgment by United States Department of the Interior. (Attachments: # <a href="#">1</a> Declaration of Service, # <a href="#">2</a> Rule 56.1 Statement, # <a href="#">3</a> Affidavit in Support Declaration of Charis E. Wilson, # <a href="#">4</a> Affidavit in Support Affidavit of Antonio Abrantes, # <a href="#">5</a> Memorandum in Support) (Mahoney, Kathleen) (Entered: 06/24/2011) |
| 06/24/2011 | <a href="#">1</a><br><a href="#">9</a> | REPLY in Support re <a href="#">18</a> MOTION for Summary Judgment filed by United States Department of the Interior. (Mahoney, Kathleen) (Entered: 06/24/2011)  |
| 06/24/2011 | <a href="#">2</a><br><a href="#">0</a> | Letter to Honorable Carol Bagley Amon enclosing courtesy copies of Defendant's fully briefed motion for summary judgment by United States Department of the Interior (Mahoney, Kathleen) (Entered: 06/24/2011)   |

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| 06/29/2011 | <u><a href="#">2</a></u><br><u><a href="#">1</a></u> | SCHEDULING ORDER: Oral argument is hereby scheduled for August 9, 2011 at 2:00pm before Chief Judge Amon in Courtroom 10 D on Defendant's Motion for Summary Judgment <u><a href="#">18</a></u> . Ordered by Chief Judge Carol Bagley Amon on 6/27/2011. (Fernandez, Erica) (Entered: 06/29/2011)  |
| 08/02/2011 | <u><a href="#">2</a></u><br><u><a href="#">2</a></u> | Letter to Honorable Carol Bagley Amon respectfully requesting adjournment of oral argument by United States Department of the Interior (Mahoney, Kathleen) (Entered: 08/02/2011)   |
| 08/04/2011 |  | NOTICE OF RESCHEDULING OF ORAL ARGUMENT: re <u><a href="#">22</a></u> APPLICATION GRANTED on the adjournment of the currently scheduled oral argument for August 9, 2011. Oral argument is adjourned to September 9, 2011 at 3:00pm in Courtroom 10 D before Chief Judge Amon. (Liberatore, Marie) (Entered: 08/04/2011)   |
| 09/12/2011 |  | Minute Order: Oral argument held before Chief Judge Amon on 9/9/2011. Appearances: For Plaintiff - Lloyd Ambinder. For Defendant - AUSA Kathleen Mahoney. Defendant's motion for summary judgment <u><a href="#">18</a></u> is DENIED without prejudice. Defendant is granted leave to file a supplemental motion due September 30, 2011. Response is due October 7, 2011. Oral argument is set for October 13, 2011 at 9:30am in Courtroom 10 D. (Court Reporter Fred Guerino.) (Liberatore, Marie) (Entered: 09/12/2011) |
| 09/30/2011 | <u><a href="#">2</a></u><br><u><a href="#">3</a></u> | Letter MOTION for Summary Judgment <i>Renewal of Defendant's motion for summary judgment</i> by United States Department of the Interior. (Attachments: # <u><a href="#">1</a></u> Affidavit of Antonio Abrantes dated September 28, 2011) (Mahoney, Kathleen) (Entered: 09/30/2011)   |
| 10/06/2011 | <u><a href="#">2</a></u><br><u><a href="#">4</a></u> | REPLY in Opposition re <u><a href="#">23</a></u> Letter MOTION for Summary Judgment <i>Renewal of Defendant's motion for summary judgment</i> filed by All Plaintiffs. (Attachments: # <u><a href="#">1</a></u> Exhibit Exhibit 1, # <u><a href="#">2</a></u> Exhibit Exhibit 2, # <u><a href="#">3</a></u> Exhibit Exhibit 3) (Murphy, James) (Entered: 10/06/2011)   |
| 10/07/2011 |  | NOTICE - ORAL ARGUMENT currently scheduled for October 13, 2011 before Chief Judge Amon IS CANCELED. The motion will be decided on the papers. (Liberatore, Marie) (Entered: 10/07/2011)   |
| 10/26/2011 | <u><a href="#">2</a></u><br><u><a href="#">5</a></u> | ORDER denying <u><a href="#">23</a></u> Motion for Summary Judgment. The DOI is hereby ordered to produce the "hours worked" data of the payroll forms within ten (10) days of the issuance of this Order. Ordered by Chief Judge Carol Bagley Amon on 10/26/2011. (Amon, Carol) (Entered: 10/26/2011)   |
| 11/10/2011 | <u><a href="#">2</a></u><br><u><a href="#">6</a></u> | ORDER: The Clerk of Court is directed to enter judgment in accordance with this Court's Memorandum and Order <u><a href="#">25</a></u> issued 10/26/11, and to close this case. Ordered by Chief Judge Carol Bagley Amon on 11/9/2011. (fwd for judgment) (Fernandez, Erica) (Entered: 11/10/2011)   |

11/15/2011

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CLERK'S JUDGMENT directing that the United States Department of Interior's motion for summary judgment is denied and the United States Department of Interior is ordered to produce the data in the "hours worked" columns of the Gateway Project payroll forms. Ordered by Clerk of Court on 11/14/2011. c/m with appeal pkg (Fernandez, Erica) Modified on 11/15/2011 (Fernandez, Erica). (Entered: 11/15/2011)

| <b>PACER Service Center</b> |               |                         |                       |
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